ELDER AFFAIRS DEPARTMENT [321]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 231.14, the Elder Affairs Department hereby gives Notice of Intended Action to amend Chapter 6, "Area Agency on Aging Planning and Administration," Iowa Administrative Code.

The proposed amendments:

1. Require nonprofit contractors or subgrantees to comply with all requirements for nonprofit entities, which would include Iowa Code chapter 504;

2. Clarify the waiver requirements regarding funding and area plans; and

3. Add a severability clause to the chapter.

Any interested person may make written suggestions or comments on these proposed amendments before 4:30 p.m. on April 16, 2008. Written comments should be directed to the Department of Elder Affairs, Jessie M. Parker Building, 510 E. 12th Street, Des Moines, Iowa 50319; E–mailed to Danika.Rosales@iowa.gov; or faxed to (515)725–3300.

These amendments are intended to implement Iowa Code chapter 231.

The following amendments are proposed.

ITEM 1. Amend subrule 6.10(4) as follows:

6.10(4) Establishment of a request for proposal process that includes methods of selection of providers and methods for award of grants or contracts under the area plan, including stipulations that all subcontractors or subgrantees comply with all applicable local, state and federal laws, rules or regulations, and, if applicable, all requirements for nonprofit entities;

ITEM 2. Amend subrule 6.15(1) as follows:

6.15(1) An AAA shall request a waiver from the priority service expenditures in 321—subrule 5.3(3) if it does not propose sufficient funding to allow elders to have convenient access to a

service. The waiver request shall be submitted with the plan or plan amendment pursuant to applicable procedures under 321 IAC 11.

    ITEM 3. Amend 321—Chapter 6 by adopting the following **<u>new</u>** rule:

321—6.18(231) Severability. Should any rule, subrule, paragraph, phrase, sentence or clause of this chapter be declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.